

Notice of Allowability

Application No.

10/602,125

Applicant(s)

MELICK ET AL.

Examiner

Art Unit

Apu M. Mofiz

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/08/2005.
2. ☒ The allowed claim(s) is/are 21-31 and 33-38.
3. ☒ The drawings filed on 23 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date herein
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date herein
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Applicant's amendments and arguments filed April 08, 2005 have been fully considered and they are deemed to be persuasive.

EXAMINER'S AMENDMENT

2. Authorization for Examiner's Amendment to the amendment filed April 08, 2005 was given by John D. Goodhue in a telephone interview on 06/02/2005.
3. An examiner's amendment to the amendment filed April 08, 2005 appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
4. The application has been amended as follows:
 - a) In Claim 1, line 1 (i.e. line 1 of claim 1), deleted "A" before "method"
 - b) In Claim 1, line 1 (i.e. line 1 of claim 1), inserted "An electronically implemented" before "method"
 - c) In Claim 1, line 8 (i.e. line 8 of claim 1), inserted "; and wherein the structured linear database protocol uses at least one structured linear database comprising a linear file allocation table including a field name for one or more subdivisions of data, pulse start and end position information for each of the field names" after "interface to the device" and before "."

- d) Cancel claim 32;
- e) In Claim 33, line 2 (i.e., line 2 of claim 33), deleted "32" and inserted "21" after "claim" and before "wherein";
- f) In Claim 36, line 2 (i.e., line 2 of claim 36), deleted "32" and inserted "21" after "claim" and before "wherein";
- g) In Claim 37, line 2 (i.e., line 2 of claim 37), deleted "32" and inserted "21" after "claim" and before "wherein";
- h) In Claim 38, line 2 (i.e., line 2 of claim 38), deleted "32" and inserted "21" after "claim" and before "wherein";
- i) Cancel claims 39-51

Allowable Subject Matter

5. Claims 21-31 and 33-38 are allowed over the prior art of record.

Reasons For Allowance

6. The following is an examiner's statement of reasons for Allowance:

Regarding Independent claim 21, Applicant's particular method of transmitting data between a device and a communications channel interface, which includes communicating a request for the data from the device to the communications channel

Art Unit: 2165

interface, determining a type of data being requested, accessing the data within a communications channel by the communications channel interface using a communication protocol that defines a position of the data within a structured linear database based on the type of data being requested, transmitting the data from the communications channel interface to the device, and wherein the structured linear database protocol uses at least one structured linear database comprising a linear file allocation table including a field name for one or more subdivisions of data, pulse start and end position information for each of the field names in combination with other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

The dependent claims, being further limiting to the independent claims, definite and enabled by the specification are also allowed.

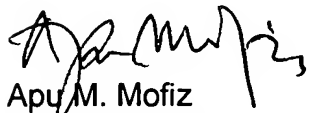
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Points of Contact

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (571) 272-4083. The fax numbers for the group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Apu M. Mofiz
Patent Examiner
Technology Center 2100

Primary

June 07, 2005